Krthny J

NOURSE & BOWLES, LLP Attorneys for Plaintiff SUEK A.G. One Exchange Plaza At 55 Broadway New York, NY 10006-3030 (212) 952-6200

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UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK SUEK A.G., Plaintiff, 08 Civ. 5508 (LAK) - against -<u>VOLUNTARY DISMISSAL</u> ATLAS BULK SHIPPING A/S. Defendant.

WHEREAS Plaintiff, SUEK A.G. filed its complaint on or about June 18, 2008 seeking process of maritime attachment and garnishment to obtain security for claims in arbitration in London; and

WHEREAS funds have been seized pursuant to said process at Bank of America, in the approximate amount of \$939,103.25 and \$356,815.91 at the American Express Bank for a total of \$1,295,919.16 insofar as has been reported to date; and

WHEREAS Plaintiff has agreed to accept alternative security in London arbitration in substitution for any attached funds in this case and to dismiss this action without prejudice and without costs; and

Plaintiff, SUEK A.G., hereby voluntarily dismisses this action without prejudice and without costs and prays for the release of all attached funds.

Dated: New York, New York. June 25, 2008

NOURSE & BOWLES, LLP

Attorneys for Plaintiff

SUEK A.G.

By:

Armand M. Paré, Jr. (AP 8575)

One Exchange Plaza

At 55 Broadway

New York, NY 10006-3030

(212) 952-6200

So Ordered:

Hon. Stroney H. Stein, Part I

Dated: New York, NY 6/24/08